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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,566	02/27/2004	Neal F. Vittitoe	2003-0173.02/4670-238	9095

7590 01/12/2009
LEXMARK INTERNATIONAL, INC.
ATT: JOHN J. McARDLE, JR.
740 WEST NEW CIRCLE ROAD
LEXINGTON, KY 40550

EXAMINER

WASHINGTON, JAMARES

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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01/12/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/788,566

Applicant(s)

VITTITOE, NEAL F.

Examiner

JAMARES WASHINGTON

Art Unit

2625

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3 and 5-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 5-7 is/are allowed.
- 6) ☒ Claim(s) 3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

Amendments and response received October 15, 2008 have been entered. Claims 1, 3 and 5-7 are currently pending in this application. Claims 1 and 5 have been amended to further distinguish over the prior art of record. Amendments and response are addressed hereinbelow.

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the **method of rendering text as depicted in claim 1** (e.g., in the form of a flow chart showing the method steps as claimed) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the

renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

In light of the amendment correcting the 112 1st paragraph issues, examiner withdraws previous grounds of rejection.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. The terms "relatively higher" and "relatively lower" in claim 3 are relative terms which render the claim indefinite. The term "relatively" is not defined by the claim as having a basis for comparison, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Examiner suggests amending the claims to read as Claim 1 as follows:

"...wherein rendering said text with said halftone screen comprises selecting a high frequency halftone screen when the text size is less..., and selecting a low frequency halftone screen when the text size value is greater..."

Appropriate correction is required in future correspondence.

Allowable Subject Matter

Claims 1 and 5-7 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any subsequent prior art which teaches a method of rendering text in an image forming device comprising receiving a user specified font sharpening threshold, said user-specified font sharpening threshold being a separate value from a text size; determining the user-specified font sharpening threshold is a predetermined value and preventing said text from being rendered with a high frequency halftone screen; when the user-specified font sharpening threshold is not the predetermined value, overriding a previously established font sharpening threshold and substituting said user-specified font sharpening threshold; comparing said text size value to said user-specified font sharpening threshold; and determining which halftone screen is to be used for said text based on an outcome of said comparison. In addition, Examiner found

neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any subsequent prior art which teaches a printing system comprising a user interface for entering a user-specified font sharpening threshold and a raster image processor which implements the method as indicated above.

5. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Michael Kerrigan Hawes et al (US 6252677 B1) teaches a mechanism for selecting a particular font smoothing technique in response to the physical size of the typeface to be rendered. The received physical description is compared with the received first threshold such that one of the font smoothing approaches is chosen in response to the comparison of the received physical description with the received first threshold (Col. 1 lines 48-60. Furthermore, a Boolean value is optionally consulted to determine whether a system default font smoothing mechanism is to be used (as compared to, for example, application-based font smoothing mechanisms) (Col. 4 lines 64-67).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMARES WASHINGTON whose telephone number is (571) 270-1585. The examiner can normally be reached on Monday thru Friday: 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

/J. W./
Examiner, Art Unit 2625

/Jamare Washington/
Examiner, Art Unit 2625

January 6, 2008